

§97.121. Purpose.

The purpose of these sections is to provide anti-rabies biologicals (vaccines and hyper-immune sera) for the use and benefit of persons exposed, or suspected of having been exposed, **[at risk of exposure,]** to rabies.

§97.123. Stocking and Issuing.

(a) Stocking. Anti-rabies biologicals may **[will]** be procured and distributed by the Texas Department of Health (department). Anti-rabies biologicals may be stocked in depots located throughout the state. The products in each depot will remain under the control of the appropriate regional director of this department until issued.

(b) Issuing.

(1) Anti-rabies biologicals may be issued for **[pre-or]** post-exposure treatment for any person upon the signed order of a medical professional **[physician]** licensed to practice **[medicine]** in Texas.

(2) The department has the right to refuse to provide anti-rabies biologicals if the incident in question does not warrant rabies post-exposure prophylaxis. The guidelines established by the Advisory Committee on Immunization Practices of the U.S. Public Health Service will be used as guidelines for assessing rabies exposure. In event the department elects not to supply biologicals for post-exposure prophylaxis, the department will provide the medical professional **[physician]** the name of a source from which anti-rabies biologicals may be purchased.

(3) The following will be accomplished at time of issue.

(A) (No change.)

(B) An information sheet about rabies and rabies biologicals will be provided by the department to the attending medical professional **[physician]** for informing the patient of the risks and benefits of the anti-rabies treatment.

(C) The most recent guidelines **[edition of the recommendations]** for treatment for the prevention of rabies as recommended **[published]** by the Advisory Committee on Immunization Practices of the U.S. Public Health Service will be provided by the department **[accompany all issues]** to the attending medical professional **[physician]**.

(c) (No change.)

(d) Administration of anti-rabies biologicals. Anti-rabies biologicals issued by the Texas Department of Health may be administered to humans only by or under the supervision of a medical professional **[physician]** licensed to practice **[medicine]** in

Texas. Anti-rabies biologicals may be issued at the depot to the bearer of the medical professional's **[physician's]** order for transport to a medical professional **[physician]** and subsequent administration to the patient by or under the supervision of a medical professional **[physician]**.

(e) (No change.)

§97.124. Payment for Anti-Rabies Biologicals.

The department is specifically authorized by law to distribute anti-rabies biologicals and to receive reimbursement for the cost of the distribution.

(1) Options for reimbursement will be in accordance with policies set by the Immunizations Division, Texas Department of Health, and are as follows:

(A) (No change.)

(B) Inability to pay. The regional director will accept, in lieu of payment, a statement **[certificate]** signed by the patient that the patient is unable to pay in whole or part the cost of the biologicals and has no third party or other alternate source to provide payment.

(2) (No change.)

§97.125. Designation of Depots for Anti-Rabies Biologicals.

The department may **[will]** procure off-site facilities for the storage and dispensing of department-owned anti-rabies biologicals.

(1) - (2) (No change.)